

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** June 30, 2011  
**POSITION:** Neutral

**BILL NUMBER:** AB 1152  
**AUTHOR:** W. Chesbro

### **BILL SUMMARY:** Groundwater

Chapter 1, Statutes of 2009, Seventh Extraordinary Session (SB X7 6) requires the elevations in all groundwater basins be monitored and that the information be made readily available to the public by January 1, 2012. This bill would allow a local entity to use alternate monitoring techniques (AMTs), under specified conditions, to comply with SB X7 6 groundwater monitoring requirements. Additionally, the bill would allow specified local agencies to assume responsibility for monitoring and reporting groundwater elevations on an interim basis, until the local agency adopts a groundwater management plan or until January 1, 2014, whichever occurs first. Finally, the bill would remove the State Mining and Geology Board's (SMGB's) role in determining groundwater monitoring effectiveness.

### **FISCAL SUMMARY**

The bill would not result in any additional workload to the Department of Water Resources (DWR) beyond the workload already required under SB x7 6. Additionally, eliminating SMGB's concurrence, as specified, could result in some cost reduction.

### **COMMENTS**

The bill would have no fiscal impact and concerns a policy issue on which we are neutral.

Currently, DWR uses monitoring wells as the exclusive technique to monitor groundwater elevations. The bill would authorize DWR to allow a monitoring agency to use AMTs, instead of monitoring groundwater directly through monitoring wells, under the following conditions:

- Groundwater elevations are unaffected by land use activities.
- Naturally occurring total dissolved solids within the groundwater preclude the use of that water.
- The underlying land is owned or controlled by state, tribal, or federal authorities where no groundwater monitoring information is available.
- The underlying area has geographic or geologic features that make monitoring impractical.

Prior to using an AMT, a monitoring entity must submit a report from a registered professional geologist showing how the basin or subbasin meets qualifying conditions. DWR, upon receiving the report, would determine whether the monitoring entity may use an AMT and what AMT to use for the basin or subbasin in question.

The bill offers some AMTs that may be deployed; however DWR would have the discretion to determine the appropriate method in each case. DWR's conclusion would be final. After the determination by DWR that the use of an AMT is allowable and the designation of what AMT to use, a monitoring entity would be required to submit information to reconfirm AMT eligibility every three years.

(Continued)

Analyst/Principal (0631) M. Almy	Date	Program Budget Manager Karen Finn	Date
-------------------------------------	------	--------------------------------------	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

**BILL ANALYSIS** Form DF-43 (Rev 03/95 Buff)

**BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)****Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

W. Chesbro

June 30, 2011

AB 1152

**COMMENTS (continued)**

Existing law requires DWR to concur with the SMGB to determine whether monitoring wells owned and operated by the state or a federal agency provide sufficient information to meet monitoring requirements. The bill would remove the requirement for DWR to seek this concurrence. Finance notes that the SMGB does not perform groundwater monitoring and, as such, may not be in a position to provide relevant input on this issue. Additionally, this change may result in a reduction of administrative costs.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
3860/Water Res	SO	No		-----	No/Minor Fiscal Impact	-----			0001